

Town of Shirley

Massachusetts



WARRANT

for the

2016 ANNUAL TOWN MEETING

Ayer-Shirley Regional Middle School
Auditorium, 1 Hospital Road
Beginning SATURDAY, April 23, 2016 @ 9:00 AM

Attention – Voters and Taxpayers

Please bring this Report to Town Meeting

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Town of Shirley Warrant, Annual Town Meeting, April 23, 2016

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Finance Committee Message

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NOTICE

If the business of this Warrant for the Annual Town Meeting is not concluded on Saturday, April 23, 2016, it is proposed to adjourn as follows, provided that the Meeting so votes: to Monday, April 25, 2016 at 7:15 p.m.

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Town of Shirley Annual Town Meeting April 23, 2016 Warrant

Middlesex, ss.

Commonwealth of Massachusetts

To any of the Constables of the Town of Shirley in said County,

Greetings:

In the name of the Commonwealth aforesaid, you are hereby required to notify and warn the Inhabitants of said Town, qualified to vote in Town affairs, to assemble in the Auditorium of the Ayer-Shirley Regional Middle School at 1 Hospital Road in Shirley on Saturday, the twenty third day of April, 2016 at 9:00 a.m., to consider the following:

ARTICLE 1: Accept Annual Town Report

To see if the Town will vote to accept the Reports of the Selectmen and other Town Officers for the Fiscal Year July 1, 2014 through June 30, 2015, as published and promulgated, a copy having been filed in the Office of the Town Clerk; or take any other action relative thereto.

Summary:

MGL c. 40, s. 49 requires the Selectmen to publish an Annual Report. It must include reports of the Selectmen, the Ayer Shirley Regional School District, Nashoba Valley Technical High School, the Accountant, and the Treasurer, while participation by other boards, committees, commissions, officials, and departments is voluntary. This article provides for formal acceptance of the compiled Annual Report, copies having been made available in advance of Town Meeting.

A majority vote is required for the passage of this article.

Sponsored by:

BOARD OF SELECTMEN

Board of Selectmen: Recommend Favorable Action

Finance Committee: Recommend Favorable Action

Article 2: Prior Year Bills

To see if the Town will vote to transfer from available funds a sum of money to pay bills incurred in a prior fiscal year; or take any other action relative thereto.

Summary: *The fiscal year ends on June 30th of each year. However, the General Laws provide further that the Town has until July 15th for departments to submit all charges against their budgets to the Town Accountant. This process allows the Town to close its books on a fiscal year and submit financial reports to the Commonwealth on a timely basis. However, on a few occasions, there are invoices that are received well past the July 15th deadline.*

This article seeks funding for the following prior year bill(s):

The Police and Sheriffs Press-\$17.49- Invoice date 5/6/2015
The Police and Sheriffs Press-\$17.49- Invoice date 5/4/2015
The Police and Sheriffs Press-\$32.49- Invoice date 4/22/2015
The Police and Sheriffs Press-\$17.49- Invoice date 2/10/2015

Summary: The total for this article is \$84.96, which will be paid out of the FY2016 appropriation.

A 4/5 vote is required for the passage of this article.

Sponsored by:
BOARD OF SELECTMEN

Board of Selectmen: *Recommend Favorable Action*
Finance Committee: *Recommend Favorable Action*

**ARTICLE 3: Accept Salary Classification Plan, FY 2017 Wage Scale
(See Appendices A & B)**

To see if the Town will vote to:

- a) Accept the Salary Classification Plan, as set forth in Appendix A;
- b) Amend the FY17 Wage Scale by 1% effective July 1, 2016, as set forth in Appendix B;

Or take other action relative thereto.

Summary: *The Town adopted a salary classification plan and wage scale at the 1998 Annual Town Meeting; the plan and scale have been revised regularly since then. This article also allows for all union and employee contracts to be funded.*

A majority vote is required for the passage of this article.

Sponsored by:
BOARD OF SELECTMEN
PERSONNEL BOARD

Board of Selectmen: *Recommend Favorable Action*
Finance Committee: *AT TOWN MEETING*

ARTICLE 4: ELECTED OFFICIALS' COMPENSATION

To see if the Town will vote to set the compensation for the following elected officials, effective July 1, 2016, and further, to see if the Town will raise and appropriate or transfer from available funds a sum of \$64,382.49 for the purpose of funding said compensation; or take any other action relative thereto.

Selectman (three)	\$ 300.00	Town Clerk	\$ 63,782.49
Board of Assessors (three)	\$ 300.00		

Summary: *To provide compensation for elected officials as proposed with an increase for the Town Clerk. The amount proposed is the amount requested by the Department.*

A majority vote is required for the passage of this article.

Sponsored by:
BOARD OF SELECTMEN

Board of Selectmen: *Recommend Favorable Action*
Finance Committee: *Recommend Favorable Action*

Article 5: Appropriate Omnibus Operating Budget for FY 2017 (See Appendix C)

To see if the Town will vote to raise and appropriate or transfer from available funds such sums of money as may be required to defray Town charges for the fiscal period July 1, 2016 to June 30, 2017; or take any other action relative thereto.

Summary: *This article presents the proposed omnibus operating budget of the Town for FY2017, together with prior year approvals for spending comparisons (see Appendix C for the detailed line item budget).*

*A majority vote is required for the passage of this article, unless transferring funds from a Stabilization Fund, in which case a **2/3 vote** is required.*

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Sponsored by:
BOARD OF SELECTMEN

Board of Selectmen: *Recommend Favorable Action*
Finance Committee: *Recommend Favorable Action*

Article 6: Approve Five-Year Capital Improvement Plan (See Appendix D)

To see if the Town will vote to approve the FY2017 Capital Budget, together with the capital budget for the ensuing four years, said five-year plan known as the Capital Improvement Plan, as set forth in Appendix D; or take any other action relative thereto.

Summary: *This article presents the proposed five (5) year Capital Plan.*

A majority vote is required for the passage of this article.

Sponsored by:
BOARD OF SELECTMEN

Board of Selectmen: *Recommend Favorable Action*
Finance Committee: *Recommend Favorable Action*

Article 7: Appropriate Capital Item(s) for FY 2017

To see if the Town will vote to raise and appropriate, transfer from available funds, and/ or borrow a sum or sums of money for the purpose of purchasing (and equipping for Items A and B) FY 2017 Capital Budget items, including all related and incidental expenses as follows; or take any other action relative thereto.

Item A	John Deer 710 Backhoe	DPW	\$132,500
Item B	Car #25 Chief Cruiser	Police	\$38,000
Item C	Protective Gear 20S.C.B.A.	Fire	\$176,780
Item D	Computers	Library	\$10,550

Summary: The total Capital Request is \$357,830, 309,280 will be borrowed and the remainder \$48,550 will be funded as a one-time expense through the Capital Stabilization Fund.

A 2/3 vote is required for the passage of this article, as it is being funded through the Capital Stabilization Fund and borrowing.

ITEM A: We are requesting that this item be borrowed, within the included debt. This item will replace the 1999 Backhoe Loader and be bonded for five (5) years.

ITEM B: This item will be paid directly out of the Capital Stabilization Fund, no borrowing is being requested.

ITEM C: We are requesting that this item be borrowed, within the included debt. This item will replace expired equipment and be bonded for ten (10) years.

ITEM D: This item will be paid directly from the Capital Stabilization Fund, no borrowing is being requested.

**Sponsored by:
BOARD OF SELECTMEN**

**Board of Selectmen: Recommend Favorable Action
Finance Committee: AT TOWN MEETING**

Article 8: Authorize Borrowing to Appropriate for Performance Contracting

To see if the Town will vote to authorize the Board of Selectmen to enter into an energy services performance contract for a term not to exceed 13 years, and to appropriate the sum of \$192,633.00, or any other sum, in order to enter Phase II of an energy savings program (Performance Contracting) in Town -owned buildings, and to meet such appropriation to authorize the Treasurer, with approval of the Board of Selectmen, to borrow said sum in accordance with Section 7 of Chapter 44 of the General Laws, or any other enabling authority, and issue bonds and notes therefore; or take any other action relative thereto.

Summary: *The Air Handling system on the Police Station is past the end of life. The Town Hall air handling system has had three failures since July 2015, and is nearing end of life. This article seeks to replace both units before complete failure.*

A 2/3 vote is required for passage of this article.

**Sponsored by:
BOARD OF SELECTMEN
ENERGY COMMITTEE**

**Board of Selectmen: Recommend Favorable Action
Finance Committee: Recommend Favorable Action**

Article 9: Appropriate Sewer Commissioner's Budget for FY 2017

To see if the Town will vote to raise and appropriate, or transfer from available funds, including Sewer Enterprise receipts, a certain sum of money for the FY17 budget to operate the Sewer Enterprise; or take any other action relative thereto.

LINE 442: FY2017 SEWER DEPARTMENT BUDGET

<u>Description</u>	<u>Appropriated FY16</u>	<u>Requested FY17</u>
Wages, Hourly	\$16,450.65	\$13,447.20
Health Insurance	\$00.00	\$00.00
Medicare	\$239.00	\$200.36
Contracted Services/Operations & Maintenance	\$377,220.91	\$377,220.91
General Operations/User Expenses	\$102,200.00	\$103,700.00
Capital Item	\$136,500.00	\$60,500.00
Retained Earnings	\$00.00	\$00.00
Capital Assessments & Debt Service/Betterment Expenses	<u>\$885,843.82</u>	<u>\$888,754.69</u>
Total Sewer Department	\$1,518,454.38	\$1,443,823.16
Indirect Cost Expenses	\$40,429.00	\$40,429.00
<u>Total Sewer Department Spending</u>	<u>\$1,558,883.38</u>	<u>\$1,484,252.16</u>

Summary: *This article presents the proposed Sewer operating budget of the Town for FY2017. The Capital being requested is for a pump upgrade, generator, spare pump, replacement cab and a new transducer.*

A majority vote is required for the passage of this article.

Sponsored by:
SEWER COMMISSION

Board of Selectmen: *Recommend Favorable Action*
Finance Committee: *Recommend Favorable Action*

Article 10: Appropriate Ambulance Department Budget for FY 2017

To see if the Town will vote to raise and appropriate, or transfer from available funds, including Ambulance receipts, a certain sum of money for the FY17 budget to operate the Ambulance Enterprise; or take any other action relative thereto.

LINE 231: FY2017 AMBULANCE DEPARTMENT BUDGET

<u>Description</u>	<u>Appropriated FY16</u>	<u>Requested FY17</u>
Salary, Ambulance Director	\$13,990.50	\$14,452.19
Wages, Hourly – On-call EMT's, Billing Clerk	\$32,151.91	\$35,130.33
EMT Stipends	\$00.00	00.00
Health Insurance	\$20,371.97	\$22,001.73
Medicare	\$806.00	\$806.00
Expenses	\$24,707.00	\$24,707.00
Retained Earnings	\$5,000.00	\$5,000.00

Per Diem	<u>\$100,084.00</u>	<u>\$100,084.00</u>
Total Ambulance Department	\$197,111.38	\$202,181.25
Indirect Cost Expenses	<u>\$9,702.73</u>	<u>\$9,702.73</u>
<u>Total Ambulance Department Spending</u>	<u>\$206,814.11</u>	<u>\$211,883.98</u>

Summary: *This article presents the proposed Ambulance operating budget of the Town for FY 2017.*

A majority vote is required for the passage of this article.

Sponsored by:
AMBULANCE DEPARMTENT

Board of Selectmen: *Recommend Favorable Action*
Finance Committee: *Recommend Favorable Action*

Article 11: Appropriate Curbside Solid Waste/Recycling Budget for FY 2017

To see if the Town will vote to raise and appropriate, or transfer from available funds, including Solid Waste/Recycling receipts, a certain sum of money for the FY17 budget to operate the Solid Waste Enterprise; or take any other action relative thereto.

LINE 433: FY2017 SOLID WASTE/RECYCLING CURBSIDE COLLECTION BUDGETS

<u>Description</u>	<u>Appropriated FY16</u>	<u>Requested FY17</u>
Expenses	\$135,000.00	\$159,530.00
<u>Retained Earnings</u>	<u>\$00.00</u>	<u>\$11,000.00</u>
Total Solid Waste/Recycling Curbside Collection	\$135,000.00	\$170,530.00

Summary: *This article presents the proposed Solid Waste operating budget of the Town for FY2017.*

A majority vote is required for the passage of this article.

Sponsored by:
BOARD OF HEALTH

Board of Selectmen: *Recommend Favorable Action*
Finance Committee: AT TOWN MEETING

Article 12: Re-establish Departmental Revolving Funds

To see if the Town will vote to authorize revolving funds under Massachusetts General Law, Chapter 44, Section 53E ½ for the following departments in Fiscal Year 2017 with expenditures from said funds to be limited to a certain sum, all as specified below:

a) Council on Aging Van Service (Re-establish)

Fiscal Year Expenditure Limit: \$52,000
Authorized Department: Council on Aging
Program or Purpose: Van service for transporting the elderly and disabled
Revenue Source: Fees, fares or reimbursement from Montachusett Regional Transportation Authority

b) Advertising & Postage Costs Advanced by Applicants (Re-establish)

Fiscal Year Expenditure Limit: \$5,000

Authorized Department:	Relevant departments
Program or Purpose:	Pass-through account for legal advertisements and postage funded by applicants for licenses, permits, etc.
Revenue Source:	Charges, costs, and fees advanced or reimbursed by applicants in connection with applications for licenses, permits, variances, or other matters

c) Boarding & Caring for Impounded Dogs (Re-establish)

Fiscal Year Expenditure Limit:	\$5,000
Authorized Department:	Police Department
Program or Purpose:	Boarding and caring for impounded dogs
Revenue Source:	Fines and payments by owners for boarding dogs

d) Wetlands By-law Expenses (Re-establish)

Fiscal Year Expenditure Limit:	\$25,000
Authorized Department:	Conservation Commission
Program or Purpose:	Pass-through account for expert engineering and consulting services retained by the Conservation Commission for review of applications under the Wetlands Bylaw
Revenue Source:	Costs and fees advanced by applicants

e) Fees & Expenses of Animal Inspector (Re-establish)

Fiscal Year Expenditure Limit:	\$3,000
Authorized Department:	Board of Health
Program or Purpose:	Pass-through account for paying the Animal Inspector's stipend, fees, and other expenses
Revenue Source:	Fees and charges assessed to owners for the inspection of domestic animals in accordance with Massachusetts General Laws Chapter 129, Section 19

f) Fees for Deputy Collector (Re-establish)

Fiscal Year Expenditure Limit:	\$15,000
Authorized Department:	Town Collector
Program or Purpose:	Pass-through account to pay statutory fees earned by the Town's Deputy Collector (independent contractor)
Revenue Source:	Fees added to, and paid with, overdue bills

g) Fees & Expenses of Field Driver (Re-establish)

Fiscal Year Expenditure Limit:	\$2,000
Authorized Department:	Police Department
Program or Purpose:	Pass-through account for paying the fees and expenses of the Town's Field Driver
Revenue Source:	Charges assessed to owners for collecting, transporting, and impounding their strayed animals

h) Fees & Expenses of Police Lock-up (Re-establish).

Fiscal Year Expenditure Limit:	\$5,000
Authorized Department:	Police Department
Program or Purpose:	Pass-through account for providing lock-up facilities to other governmental entities
Revenue Source:	Fees paid for use of cells

i) Expenses of Planning Board (Re-establish)

Fiscal Year Expenditure Limit:	\$40,000
Authorized Department:	Planning Board

Program or Purpose: Pass-through account for expert engineering and other consulting services, and for required legal advertising, and for expenses incurred by the Planning Board for review of applications under its Subdivision Control Regulations

Revenue Source: Costs and fees advanced by applicants

j) Expenses of Recycling (Re-establish)

Fiscal Year Expenditure Limit: \$3,000

Authorized Department: Board of Health

Program or Purpose: Pass-through account for expenses of recycling cardboard, glass, metals, paper, plastics, etc.

Revenue Source: Payments for recycled materials

k) Expenses of Recreational Fields (Re-establish)

Fiscal Year Expenditure Limit: \$25,000

Authorized Department: Recreation Fields Committee

Program or Purpose: For the costs of maintenance, equipment, and supplies, renovations and/or improvements to any and all Town-owned Recreation fields, including related design services

Revenue Source: Fees, donations, gifts

l) Council on Aging Medical Transport Expenses (Re-establish)

Fiscal Year Expenditure Limit: \$3500

Authorized Department: Council on Aging

Program or Purpose: For the costs of transportation to medical events for the elderly that supplements services already provided by the MART van

Revenue Source: Grants, donations, fares

m) Council on Aging Newsletter Printing Expenses (Re-establish)

Fiscal Year Expenditure Limit: \$4,000

Authorized Department: Council on Aging

Program or Purpose: For the costs of advertising and printing the monthly COA newsletter

Revenue Source: Revenue from advertisements; grants, donations

n) Conservation Commission (Re-establish)

Fiscal Year Expenditure Limit: \$25,000

Authorized Department: Conservation Commission

Program or Purpose: For the costs of oversight and management of conservation land, including forestry.

Revenue Source: Revenue from Forestry undertaken on Town Conservation land.

Description: The purpose of utilizing receipts and fees received in connection with the sale and harvest of timber, and other forestry products, conducted on Town-owned conservation land under the care and custody of the Shirley Conservation Commission, said receipts and fees to be credited to said account and expended by the Conservation Commission for oversight and management of conservation lands owned by the Town, with the maximum amount in said account not to exceed \$25,000.

Sponsored by:
BOARD OF SELECTMEN

Board of Selectmen: *Recommend Favorable Action*
Finance Committee: *Recommend Favorable Action, Except K*

Summary:

Some of the Town's governmental functions are able to produce enough revenue, through fees, grants, and the like, to support particular expenses. Formerly the Town had to raise the expense money at Town Meeting and then offset the appropriation with estimated receipts to keep the tax rate at a minimum. More recently state law has provided for the use of revolving funds, and now this article has become a standard article in Shirley.

The result is essentially the same, but the balancing is demystified. The voter can clearly see what is happening, rather than worry whether a particular revenue stream is truly being used to fund the service for which it is received versus some other unrelated function. The law requires that revolving funds generally be voted at an Annual Town Meeting and renewed annually.

A majority vote is required for the passage of this article.

Article 13: Additional Property Tax Exemption

To see if the Town will vote to accept the provisions of M.G.L. Chapter 59, §5C1/2, inserted by Section 14 of Chapter 62 of the Acts of 2014, which provides for an additional real estate exemption for taxpayers who qualify for property tax exemptions under M.G.L. Chapter 59, §5, including certain blind persons, veterans, surviving spouses and seniors, and to provide that the additional exemption shall be up to 100 percent of the personal exemption, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2016; or take any other action relative thereto.

Summary:

The Commonwealth of Massachusetts allows exemptions to qualified persons that help to defray the amount of property taxes to be paid. Each exemption has requirements that the applicant must meet in order to be eligible. Exemption must be approved by the Assessors. This article provides that the Town grant an additional exemption, above the statutory amount, not to exceed 100%, provided that an applicant cannot pay less than what was paid in the preceding year on the property.

A majority vote is required for the passage of this article

**Sponsored by:
ASSESSORS**

Board of Selectmen: Recommend Favorable Action
Finance Committee: Recommend Favorable Action

Article 14: Transfer to the General Stabilization Fund

To see if the Town will vote to transfer from available funds a sum of money to the General Stabilization Fund; or take any other action relative thereto.

Summary:

This article transfers to the General Stabilization Fund surplus funds realized as a result of any other actions taken in the previous articles of this warrant. Additionally, should additional revenues be recognized or state aid increase after the signing of this warrant, the Town has the means to "capture" those revenues with this article, and deposit those receipts into the General Stabilization Fund.

A 2/3 vote is required for passage of this article.

Sponsored by:
BOARD OF SELECTMEN

Board of Selectmen: *Recommend Favorable Action*
Finance Committee: *AT TOWN MEETING*

Article 15: Transfer to the Capital Stabilization Fund

To see if the Town will vote to transfer from available funds a sum of money to the Capital Stabilization Fund; or take any other action relative thereto.

Summary:

This article transfers to the Capital Stabilization Fund surplus funds realized as a result of any other actions taken in the previous articles of this warrant. Additionally, should additional revenues be recognized or state aid increase after the signing of this warrant, the Town has the means to "capture" those revenues with this article, and deposit those receipts into the Capital Stabilization Fund.

A 2/3 vote is required for passage of this article.

Sponsored by:
BOARD OF SELECTMEN

Board of Selectmen: *Recommend Favorable Action*
Finance Committee: *AT TOWN MEETING*

Article 16: Amend Capital Improvement Plan Article XXV

To see if the Town will amend Article XXV "Capital Improvement Plan" Bylaw, as set forth below, with text to be inserted shown by underlining and text to be deleted shown by strikethrough, or take any other action relative thereto.

**ARTICLE XXV
CAPITAL IMPROVEMENT PROGRAM**

Section 1 The Finance Committee, in conjunction with the Board of Selectmen, shall be responsible for developing an Annual Capital Improvement Program for the Town. An Article setting forth the Capital Improvement Program shall be included each year in the Annual Town Meeting Warrant for adoption by the Town. [Amended June 3, 2002 ATM and June 8, 2009 ATM]

Section 2 Capital Projects and Purchases, to be included in the capital Improvement Program, must meet all the following criteria:

- 1) Purchased or undertaken at intervals of not less than 3 years;
- 2) Have a useful life of at least three years; and
- 3) Cost over \$10,000.

All Officers, Boards, Commissions, and Committees shall, by January 30, of each year, submit to the Finance Committee information concerning all anticipated Capital Projects and Purchases requiring Town Meeting action. Such information submitted to the Finance

Committee shall include information about all Capital Projects and Purchases anticipated for the next five-year period. The Finance Committee shall consider the relative need, timing, cost, and other impacts of the requested expenditures, including the effect each will have on the financial position of the Town. ~~No appropriation for a Capital Project or Purchase shall be considered by the Finance Committee for action unless the proposed Project or Purchase is included in the Capital Improvement Program.~~

Section 3 Adoption at Annual Town Meeting of the Capital Improvement Program shall authorize the expenditure of sums from departmental budgets for surveys, architectural or engineering advice, and options or appraisals toward Capital Projects and Purchases included in the Program. Except as otherwise authorized by vote of a Special Town Meeting, no such expenditure shall be made for Capital Projects or Purchases which are not included in the program, nor for preliminary planning for Capital Projects or Purchases to be undertaken more than five years in the future.

Section 4 The Finance Committee shall publish a report of its recommendations about the Capital Improvement Program each year and place the same on file with the Town Clerk.

Summary: The intent of the proposed changes is to allow for funding of capital expenditures that are unforeseen, and therefore not in the Annual Capital Plan, to be considered at Special Town Meeting. Text to be inserted is shown by underlining and text to be deleted shown by strikethrough.

A majority vote is required for passage of this article.

Sponsored by:
BOARD OF SELECTMEN

Board of Selectmen: *Recommend Favorable Action*
Finance Committee: *Recommend Favorable Action*

* * * *

And you will serve this Warrant by posting true and attested copies of same at the Town Offices and the Hazen Memorial Library in Shirley Village, at the Shirley Senior Center in Shirley Center, and a like copy at the United States Post Office in Shirley Village, fourteen days at least before the time appointed for said Meeting.

Hereof fail not and make due return of this Warrant with your doings therein to one of the Selectmen, on or before the date of the Meeting.

Given under our hands at Shirley, this _____ Day of _____, 2016.

BOARD OF SELECTMEN

Robert E. Prescott, Jr.
Chairman

David N. Swain
Vice Chairman

Kendra J. Dumont
Clerk

A true copy.
Attest:

Amy R. McDougall
Town Clerk

RETURN OF SERVICE

I certify that at the following dates and times, I duly posted true and attested copies of the foregoing Warrant for the April 23, 2016, Annual Town Meeting:

	DATE	TIME
Town Offices	_____	_____
Hazen Memorial Library	_____	_____
U. S. Post Office	_____	_____
Shirley Senior Center	_____	_____

Constable's Signature

Constable's Printed Name

* * * *

TOWN OF SHIRLEY

7 Keady Way
Shirley, MA 01464

PRSRT STD

U.S. Postage

PAID

Shirley, MA 01464

PERMIT #4

RESIDENTIAL POSTAL PATRON

Notes: